

AN ORDINANCE

04-O-0435

BY COUNCILMEMBERS DERRICK BOAZMAN, NATALYN ARCHIBONG, CEASAR C. MITCHELL, H. LAMAR WILLIS, IVORY LEE YOUNG, JR., DEBI STARNES JIM MADDOX AND ANNE FAUVER

AS SUBSTITUTED (3) AND AMENDED BY CITY UTILITIES COMMITTEE

TO AMEND CERTAIN PROVISIONS OF ARTICLE II, CHAPTER 86 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA; TO CREATE NEW SECTIONS; TO PROVIDE FOR A PROHIBITION OF SMOKING IN PUBLIC PLACES; TO RENUMBER SECTIONS WITHIN THIS ARTICLE; TO REPEAL CERTAIN PROVISIONS; AND FOR OTHER PURPOSES.

WHEREAS, a Clean Indoor Air Act Taskforce was created in February 2003 to evaluate the adequacy of the existing City of Atlanta Indoor Air Ordinance; and

WHEREAS, the Clean Indoor Air Taskforce, based upon its research, has concluded that the following information is pertinent to the passage of an adequately researched Clean Indoor Air Ordinance; and

WHEREAS, numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke (also known as environmental tobacco smoke) is a cause of disease in healthy nonsmokers, including heart disease, stroke, respiratory disease, and lung cancer; and

WHEREAS, Public Health Services National Toxicology Program and the World Health Organizations' International Agency for Research on Cancer identify Environmental Tobacco Smoke (ETS) as a human Class A carcinogen and state that there is no safe level of exposure; and

WHEREAS, the National Cancer Institute determined in 1999 that secondhand smoke is responsible for the early deaths of up to 65,000 Americans annually; and

WHEREAS, secondhand smoke is particularly hazardous to elderly persons, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease; and

WHEREAS, children exposed to secondhand smoke have an increased risk of asthma, respiratory infections, sudden infant death syndrome, developmental abnormalities, and cancer; and